

Please amend claim 1 as follows.

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1. (Amended) A spread spectrum receiver, comprising:  
means for correlating a received, code modulated spread spectrum signal with a code modulated signal replica at a first selected code phase delay, [and] at a second selected code phase delay and at a third selected code phase delay; and  
comparison means for comparing characteristics of said correlations to derive information related to any residual code phase error in said second code phase delay.

### REMARKS

Claims 11, 12, 14-19 and 24-29 have been canceled. Thus claims 1-10, 13 and 20-23 are pending. Claim 1 has been amended to establish antecedent basis for "said third code phase delay" recited in claim 2.

In the Office Action mailed September 15, 1999 in this application's parent application, claims 1-10, 13, and 20-23 were rejected as being anticipated by U.S. Patent No. 5,347,536 to Meehan. In particular, the Examiner found that Meehan explicitly teaches the subject matter of claim 1 at col. 3, l. 46 to col. 4, l. 6, Figs. 13 and 15, and at col. 9, ll. 38-44. Applicants request that the Examiner consider the following discussion with respect to the pending claims in view of Meehan.

Applicants have reviewed the cited language of Meehan, and respectfully disagree with the Examiner's interpretation of the teaching of this reference. Specifically, the cited language at col. 3 teaches the use of a correlator in a spread spectrum receiver to correlate a received signal with an early and a prompt code replica, as opposed to correlating the received signal with a code modulated signal replica at a first selected code phase delay, at a second selected code phase delay and at a third selected code phase delay, as set forth in claim 1. Similarly, Meehan at col. 9, ll. 38-44 teaches that the tracking error processor 150 "computes from the *early* and *prompt* in-phase components the correction to the model code phase."

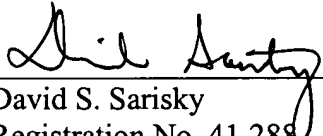
In view of the foregoing, Applicants request that the Examiner reconsider the rejection of claim 1. Claims 2-10 and 13 depend from claim 1, which Applicants believe to be allowable for

the reasons set forth above, and thus further believe that claims 2-10 and 13 are allowable over Meehan as well.

Claims 20-23 were rejected in light of Meehan, wherein the Examiner cited Figs. 13 - 15, "all elements" as disclosing the step of determining a prompt code phase delay from differences in magnitude between at least two of said correlations. Applicants are somewhat at a loss as to exactly which of these elements are believed by the Examiner to perform the claimed step, and despite a careful study of the figures as well as the portions of the Meehan disclosure that describe these figures, Applicants can discern no teaching on the part of Meehan that could be interpreted as comprising the claimed step. Applicants thus respectfully request that the Examiner identify the particular portion of the Meehan disclosure that teaches the claimed step, or retract this rejection.

In view of the foregoing it is respectfully urged that all pending claims are in condition for allowance and early consideration is earnestly solicited. The undersigned counsel can be reached at (310) 824-5555 for a telephonic interview or to resolve any matters to facilitate prosecution of the application.

Respectfully submitted,  
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